

REMARKS

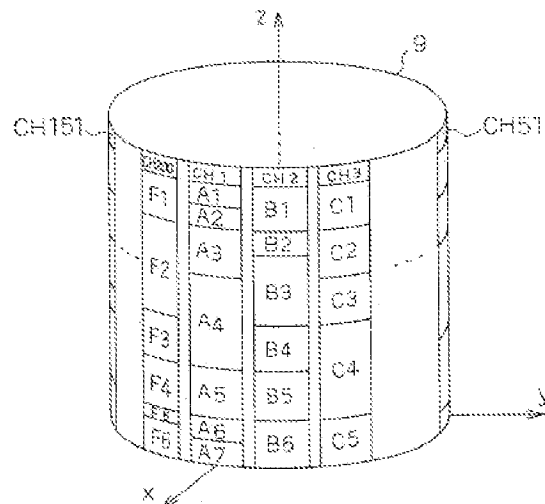
In response to the Office Communication mailed October 23, 2007 as entered in the above-captioned matter, Claims 1-7 and 9-12 were rejected under 35 U.S.C. §102(e) given Nakamura et al. (U.S. Patent Publication No. 2003/0167466) (“Nakamura”) and Claims 8 and 13 were rejected under 35 U.S.C. §103(a) given Nakamura in view of Sai et al. (U.S. Patent No. 6,822,661) (“Sai”). The Applicant respectfully traverses these rejections and requests reconsideration.

Rejections under 35 U.S.C. 102(e)

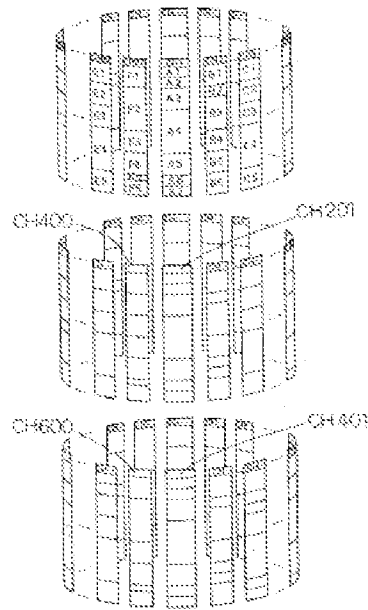
Claims 1-7 and 9-12 were rejected under 35 U.S.C. §102(e) given Nakamura. Prior to discussing the merits of the Examiner’s position, the Applicant believes that it would be helpful to first briefly describe and characterize the Nakamura reference.

The Nakamura reference

Nakamura discloses an electronic programming guide (denoted by Nakamura as an EPG in his descriptive materials) that employs a three dimensional cylinder (as shown, for example, in Nakamura’s FIG. 3 shown at the right) to display programming information for a large number of broadcasting channels.



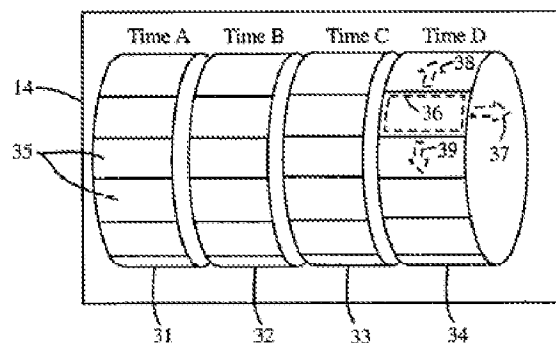
Nakamura suggests placing programming information for each of 200 different channels on each such cylinder and then notes that additional cylinders can be provided to accommodate a greater number of channels. Nakamura depicts such an arrangement in his FIG. 17 (shown at the right) where three such cylinders are provided, each depicting 200 different channels.



As per Nakamura's teachings, each channel is displayed in a vertically oriented manner, with the vertical dimension corresponding, in a general manner, to the temporal domain. Rotation of each cylinder, on the other hand, causes different channels to come into, or pass out of, view.

Claims 1 and 9

As clearly shown in applicant's FIG. 3 (reproduced at the right), the applicant provides for a plurality of three dimensional cylinders where the horizontal axis corresponds to the temporal domain and where each of the cylinders corresponds to a different time.



This is clearly different from Nakamura where time extends along the vertical axis and where each cylinder (when multiple cylinders are present) corresponds to a large number of different times.

This difference is well set forth in both claims 1 and independent claim 9. For example, claim 1, as amended, reads in pertinent part, a “browsing and selection interface [that] is depicted as a plurality of three dimensional objects, wherein each of the plurality of three dimensional objects corresponds to a different time.”

As Nakamura is silent with respect to any such teaching or suggestion, the applicant respectfully submits that Nakamura cannot be properly viewed as anticipating the recitations of these claims.

Dependent claims 2-8 and 10-13

The remaining claims, including claims 8 and 13 which have been rejected under 35 U.S.C. 103(a), are ultimately dependent upon one of claims 1 and 9, which claims have been shown to be allowable above. While the applicant believes that other arguments are available to highlight the allowable subject matter presented in various of the dependent claims, the applicant also believes that the comments set forth herein regarding allowability of the independent claims are sufficiently compelling to warrant present exclusion of such additional points for the sake of brevity and expedited consideration.

Conclusion

There being no other objections to or rejections of the claims, the applicant respectfully submits that claims 1-13 may be passed to allowance.

Respectfully requested,

FITCH, EVEN, TABIN & FLANNERY

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By: _____



Steven G. Parmelee
Registration No.: 28,790

120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-4277
Telephone: (312) 577-7000